

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,,)	
)	
Plaintiff,)	ORDER
)	
)	
vs.)	
)	
)	Case No. 1:11-cv-095
Steven E. Johnston; Glory A. Morin,)	
Capital Credit Union; and)	
A.R. Audit Services, Inc.)	
)	
Defendants.)	

On November 28, 2011, the Government filed a complaint to foreclose on mortgaged property owned by Steven Johnston and Gloria Morin f/k/a Gloria Johnston. See Docket No. 1. On June 21, 2012, at 11:00 a.m., a Deputy U.S. Marshal sold the mortgaged property for the sum of \$123,000. See Docket No. 14. After accounting for the debt owed and costs of the foreclosure, a surplus of \$53,408.92 remained. See Docket No. 16 The surplus funds were deposited with the Court as required by law. See N.D.C.C. § 32-19-10 (“and if there is any surplus, it must be brought into court . . .”). Two defendants, Glory Morin and Capital Credit Union, filed motions making claims to part or all of the surplus funds. See Docket Nos. 18 and 19. The parties claim to have a valid interest in the foreclosed property, but the record reveals that no legal documents have been filed with the Court to establish such a claim. The Court **ORDERS** Capital Credit Union to file a copy of the judgment it obtained against Steven E. Johnston in 2003 and the manner in which it calculated interest on the judgment within ten (10)

days from the date of this order. This information is needed to support the application for payment of \$14,204.08 submitted on August 2, 2012. See Docket No. 19.

IT IS SO ORDERED.

Dated this 27th day of August, 2012.

/s/ Daniel L. Hovland

Daniel L. Hovland, District Judge
United States District Court